

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN COLLOPY, as the Special
Administrator of the Estate of
PATRICIA JACKSON, *et al.*,

Plaintiffs,

vs.

UNITED STATES, *et al.*,

Defendants.

Case No. 2:09-cv-00223-PMP-GWF

ORDER

Motion to Strike (#76)

This matter is before the Court on Defendants' Motion to Strike in Part Plaintiff's Supplemental Expert Report (#76), filed March 22, 2011.

To date, no party has responded to this motion and the time for opposition has now passed. LR 7-2(d) states in pertinent part, that "[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion." As a result, the Court will grant the present motion. Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion to Strike in Part Plaintiff's Supplemental Expert Report (#76) is **granted**. All portions of Plaintiffs' Supplemental Expert Report that discuss Robert and John Collopy's individual damages are **stricken** as Robert and John Collopy are not parties to this action in their individual capacities.

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1 **IT IS FURTHER ORDERED** that the hearing on this matter scheduled to take place on
2 Monday, April 25, 2011 is **vacated**.

3 DATED this 19th day of April, 2011.

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6 GEORGE FOLEY, JR.
7 United States Magistrate Judge
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